

TOWN OF LAMOINE

Minutes of Planning Board Meeting

May 27, 2014

Lamoine Town Hall

Planning Board Members

Present: Holt, Bamman, Gallagher, Donaldson, Tadema-Wielandt, Fowler (alt)
Code Enforcement Officer

Present: M. Jordan

Members of the Public

S. Salsbury, T. Gott, C. Tippitt (S.W. Cole Engineering, Inc.)

Members of the Press - none

1. Chair Holt called to order the continuation of the May 13, 2014 Planning Board meeting at 7:02 p.m.

5. Old Business

b. Completeness Review – Gravel Permit Applications, Doug Gott and Sons, Inc.
(Map 1 Lot 67-1, Map 1 Lot 70, Map 4 Lots 11 & 16)

These applications were found incomplete on April 1, 2014. The applicant submitted further materials April 28, 2014. The Planning Board reviewed those sections of the application found incomplete on April 1 with the following results:

#2a1; 2a2; 2a3; 2a4; 2a5: Sufficiently complete; NOTE: the size of these pits, combined is 42 acres (not 44, as is indicated in some places)

#2b and #2c:

Cliff Tippitt (S.W. Cole Engineering, Inc.) presented the plan to install monitoring wells and test for groundwater elevations and water quality. He explained that three new wells were in the process of being installed (GW-1, GW-2, and GW-3). Four wells will be used as “sampling points” for water quality (GW-1, OW-1, MW-1, and PW-3a). All seven will be used to monitor groundwater elevations. He further noted that the plan for quality monitoring would test for manganese, iron, and Extractable Petroleum Hydrocarbons, but not for Volatile Petroleum Hydrocarbons as called for in the ordinance because these were very unlikely to be detectable. The four quality-monitoring wells are located “down gradient” (to the west, northwest) from the bulk of the extraction area in order to detect any undesirable elements that might be leaving the site toward other properties. All surface water will flow into the pit. They will also draw data from

other wells, notably B3 on the adjacent Goodwin parcel and the monitoring well at the stump grinding site.

Tippitt noted that, as extraction proceeds, it might make sense to change the monitoring plan. Gallagher asked how the town would be notified so the Board could review such changes to the plan. Gott and Tippitt indicated that it would be the operator/owner's obligation to do so since this would constitute an amendment to the approved plan.

Holt asked if the applicant could provide elevation and quality measures to the Planning Board by June 30. They indicated they would.

Note that the plan includes no statement of the frequency at which the monitoring will occur.

The Planning Board found that sufficient information was present for # 2 b and #2c, with the condition that elevation and water quality measurements must be submitted to the Board by June 30, 2014.

#3c Sufficiently complete
#4e Sufficiently complete
#12 Sufficiently complete

Holt declared the application complete with the condition that elevation and water quality measurements must be submitted to the Board by June 30, 2014. (see #2b and #2c above)

Site Walk: June 2 at 3:30 Meet at transfer station

Public Hearing: tentatively scheduled for July 8 at 6:30. The applicant indicated that the elevation and water quality measurements could be provided to the Board and the public by June 23, giving enough lead time for the Board and public to review them prior to the public hearing and final decision.

c. Excavation activity – Doug Gott & Sons, Inc. (Map 3 Lots 6 & 8)

Holt reviewed the status of discussions between the Board and Gott: Gott removed the screening on the 10-foot buffer on Lot 6 (B&H Pit); Gott and his lawyer, E. Bearor, offered to remedy the situation by placing a berm at the northerly boundary of Lot 8, providing screening and a buffer for residences. Salsbury submitted a map with no narrative on April 28, 2014.

Salsbury summarized the proposal as "an exchange": the screening on the buffer in Lot 6 for the berm and a 50-foot buffer on the north and east boundaries of Lot 8. The berm will be placed where the trees have been removed to the boundary line in recent years (described by Salsbury as "in front of the Moore house"). See earlier proposal for details on the berm.

Discussion between the Board and the applicant led to the following clarifications of the plan by the applicant: there will be no excavation or

changes in contours in the buffer zone on Lot 6; there will be “nursery stock” trees planted on the berm; the 50-foot buffer on Lot 8 will remain “in a natural state” with no roads or other interventions within it, save for the establishment of the berm.

Tadema-Wielandt (Bamman) moved to approve the proposal from Doug Gott & Sons, Inc. to

- a) remove the screening in section of the 10-foot buffer zone on Lot 6 located to the east of the yellow area marked on the map dated April 28, 2014; and
- b) establish a 50-foot buffer zone on the North and East boundaries of Lot 8 to be left in a natural state; and
- c) establish a berm as depicted on the 4/28/14 map along the northern boundary in the section of the new buffer zone stripped of trees.

Motion carried: vote: 5-0.

6. New Business

a. [Board of Appeals](#): Holt reported that the Board has begun consideration of the Planning Board’s denial of a Site Plan Review permit to Doug Gott & Sons, Inc. for a commercial use on Map 3 Lots 6 & 8. Tadema-Wielandt questioned whether the Board of Appeals was engaging in a de novo review of the permit application, as they had visited the site and heard a complete presentation of the application from the applicant’s lawyer. Holt noted that the appeal and the Planning Board’s response to it focused solely on the review standards that were the cause of the denial.

b. The town has received updated Flood Plain maps, some of which indicate that new areas of the shoreland now fall within the Flood Plain.

7. Minutes

a. The Board reviewed the [draft minutes of the Public Hearing held March 27, 2014](#).

Moved by Gallagher (Tadema-Wielandt) to approve the minutes. **Approved: 4-0** (Bamman not present for this hearing)

b. The Board reviewed the draft [minutes of the May 13, 2014](#) Planning Board meeting. After several corrections, Bamman (Gallagher) moved to approve the minutes as amended. **Approved: 5-0.**

9. Next Meetings:

Site Walk (Gott gravel pits) Monday June 2, 3:30 p.m. Meet at Transfer Station

June 11 7 p.m Regular June Meeting

[July 8 6:30 Public Hearing](#) (Gott gravel), tentatively; Regular July Meeting at 7 p.m.

10. Adjourned at 9:02 p.m.

Respectfully Submitted,

Gordon Donaldson, Secretary